

The Hon. James L. Robart

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,
v.
CHARLES SHATEEK SMITH,
Defendant.

NO. CR21-103-JLR

FINAL ORDER OF FORFEITURE

THIS MATTER comes before the Court on the United States' Motion for a Final Order of Forfeiture ("Motion") for the following property ("Subject Property"):

1. One Beretta .22 caliber pistol, serial number BER41410T; and
2. Any associated ammunition.

The Court, having reviewed the United States' Motion, as well as the other pleadings and papers filed in this matter, hereby FINDS entry of a Final Order of Forfeiture is appropriate because:

- The Subject Property is forfeitable pursuant to 18 U.S.C. § 924(d)(1), by way 28 U.S.C. § 2461(c), as it was involved in the commission of *Felon in Possession of a Firearm*, in violation of 18 U.S.C. § 922(g)(1);

- 1 • On September 23, 2022, the Court entered a Preliminary Order of
- 2 Forfeiture finding the Subject Property forfeitable pursuant to 18 U.S.C.
- 3 § 924(d)(1) by way of 28 U.S.C. § 2461(c) and forfeiting the Defendant's
- 4 interest in it (Dkt. No. 32);
- 5 • On September 27, 2022, the Defendant was sentenced for *Felon in*
- 6 *Possession of Firearms*, in violation of 18 U.S.C. § 922(g)(1), and
- 7 forfeiture was incorporated therein (Dkt. No. 34);
- 8 • Thereafter, the United States published notice of the pending forfeitures as
- 9 required by 21 U.S.C. § 853(n)(1) and Federal Rule of Criminal Procedure
- 10 32.2(b)(6)(C) (Dkt. No. 35) and provided direct notice to two potential
- 11 claimants as required by Fed. R. Crim. P. 32.2(b)(6)(A) (*see* Declaration of
- 12 AUSA Jehiel I. Baer in Support of Motion for Entry of a Final Order of
- 13 Forfeiture, ¶ 2, Exhibits A & B);
- 14 • The United States and third-party petitioner Tahleha Jackson executed a
- 15 Settlement Agreement for the return of the Walther .380 pistol that was
- 16 identified in the Preliminary Order of Forfeiture (Dkt. No. 38); and,
- 17 • The time for filing third-party petitions has expired, and no other petition
- 18 was filed.

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20 NOW, THEREFORE, THE COURT ORDERS:

- 21 1) No right, title, or interest in the Subject Property exists in any party other
- 22 than the United States;
- 23 2) The property is fully and finally condemned and forfeited, in its entirety, to
- 24 the United States; and,

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DATED this 11th day of September, 2024.

JEHIEL I. BAER
Assistant United States Attorney
United States Attorney's Office
700 Stewart Street, Suite 5220
Seattle, WA 98101
Phone: (206) 553-2242
Fax: (206) 553-6934
Jehiel.Baer@usdoj.gov